

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JENNIFER VIRDEN,
Plaintiff,

v.

CITY OF AUSTIN, TEXAS,
Defendant.

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Civil Case No. 1:21-cv-00271-RP

SECOND SUPPLEMENTAL VERIFICATION OF JENNIFER VIRDEN

I, Jennifer Virden, declare as follows:

1. I am the plaintiff in the present case. I am submitting this declaration to supplement my prior statements regarding activity that has occurred since my last declaration, filed with the motion for preliminary injunction on April 1, 2021.

2. I paid for radio ads to be run on KLBJ from April 19 through and including April 27, the early voting period for the May 1 elections, and on May 1. My campaign produced two different advertisements, which I recorded in my voice, stating as follows.

a. In one advertisement, I state:

Hey, Austin! Jennifer Virden here! It's GREAT to be BACK!

We Austinites have important ballot issues to vote on April 19th thru May 1st!

THIS might be our LAST chance to END the **Vagrancy** and **Blight** that are courtesy of Adler's Council. It's imperative that we VOTE **FOR Prop B!**

Heads UP: Comrade Casar intends to expand **Prop H "BULLshevik"** dollars to NON-citizens.

Remember: **Vote FOR Prop B & AGAINST Props C thru H.**

Follow us at JenniferForAustin.com.

Paid for by the Jennifer For Austin Campaign.

b. In the other advertisement, I state:

Hey, Austin! Jennifer Virden here! It's GREAT to BACK!

We Austinites have important ballot issues to vote on April 19th thru May 1st!

THIS might be our LAST chance to END the **Vagrancy** and **Blight** that are courtesy of Adler's Council. It's imperative that we VOTE **FOR Prop B!**

It's also important that we VOTE **AGAINST PROP F** the Strong Mayor!

Remember: **Vote FOR Prop B & AGAINST Props C thru H.**

Follow us at JenniferForAustin.com.

Paid for by the Jennifer For Austin Campaign.

3. I paid approximately \$2,205, from leftover funds in my campaign account, for these advertisements to run (production and airtime cost). I paid for as much airtime as I could afford with my leftover campaign funds. I wanted to, and would have, spent more money, to get more airtime, and reach more Austin voters, but I could not do so in the absence of further campaign fundraising.

4. The blackout also forced me to change the content of these advertisements. I wanted include an express solicitation at the end of the ad, inviting supporters not only to visit the website but to donate through the website. I had success fundraising in this way during my 2020 campaign, and I wanted to do so again here, to raise money to fund even more airtime with these ads and additional expenditures.


5. In fact, I have the alternate script for both of the above advertisements prepared to include the solicitation language, and the station will be able to run those ads, containing the solicitations, on May 1, if the court enjoins the blackout period. The station has advised me that they will be able to substitute the ad with the solicitation for the present ad to run on May 1, so long as they know before noon on April 30.

6. I now have only about \$936 left in my campaign account. I have also incurred a further expense, which I expect to be about \$200, for content updates on my campaign website.

7. In addition to the three verified statements from supporters that I filed with my motion, I have now received the same signed statements by an additional nine persons. These are supporters whom I have contacted and provided with the statement. And, in fact, I received another unsolicited inquiry through my campaign website from an individual asking how to contribute to the campaign. Of course, I had to respond and explain that I could not accept funds yet but that I have sued the City and want to build this current campaign quickly as soon as I am able to fundraise. That email exchange is attached to this verification.

8. Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

9. If called upon to testify I would testify competently as to matters stated herein and in the foregoing Verified Complaint. Executed on April 21, 2021, in Travis County, Texas.



Jennifer Virden